THE DEPUTY SECRETARY OF STATE

WASHINGTON

(3) EYES ONLY

CONFIDENTIAL

TO : The Secretary

FROM : Warren Christopher

SUBJECT: Attached Memorandum on Human Rights

The attached memorandum tries to pull together in one place (1) our general approach on human rights and (2) an agenda for specific action. It is to fulfill the following purposes:

-- Provide you with a comparatively extensive overview of our policy on human rights since that facet of this Administration's foreign policy has attained such importance.

-- Ask you to send a memorandum to the President, telling him what the State Department is doing to further human rights and suggesting that I serve as a point of interagency coordination (see Tab 1 for signature item).

-- Set the framework, substantively and bureaucratically, for follow-up action by the Department's functional and regional bureaus (in most cases getting them to provide solid specific programs for review by the Human Rights Coordinating Group /HRCG/ which I chair).

-- Provide a reference document for all bureaus concerned with human rights on what's being done and how their human rights efforts relate to the whole. Circulation of this memorandum, together with a longer background paper done by S/P, should help coordinate efforts within the State Department, AID, and USIA to promote human rights around the world. Dispatch to our posts in the field of guidance based on the attached memorandum, the S/P background paper, and relevant speeches on human rights should serve a comparable purpose.

DEPARTMENT OF STATE A/CDC/IR
... J. Valias DATE 12/23/83
... EXEMPTIONS ☐
... ☐ TRSEARABLE ☐
RELEASE DENIED ☒ in part
PA or FOI EXEMPTIONS 552(b)(1)

The nine-point text of this memo includes:

1. General statement of human rights policy--premised on the UN Charter and Universal Declaration of Human Rights; balanced with attention for political, civil, economic, social, and cultural rights; most concerned in the short-term with improving performance by those governments committing crimes against the person (officially-sanctioned murder, torture, or detention without fair trial); and based on consideration of criteria which include the nature of human rights violations in the country concerned and the extent of US interests and influence there.

2. Action with individual countries--with emphasis on developing strategies for working with all countries so that we augment material now available to help identify upcoming opportunities to advance human rights; deal with specific countries which, for a variety of reasons, may pose more immediate problems for the United States; and avoid overloading the human rights circuit by appearing to single out one country or doing too much at one time.

3. Executive Branch coordination--with measures to include enlarging the D/HA staff, increasing FST stress on human rights as a factor in US foreign policy, expanding the scope and effectiveness of the Human Rights Coordinating Group, and assuring interagency cooperation. Because of the need to assure a consistent position from State, Treasury, DOD, CIA, the NSC, and other parts of the Executive Branch, I have thus suggested that you send a memorandum to the President confirming the Department's coordinating role on the issue.

4. Economic assistance--with a request for an AID action plan on how to use bilateral assistance programs most effectively to promote human rights and a comparable request to EB to promote an action plan for our human rights efforts via the international financial institutions. These reports, like most others noted here, are to be presented for final review before the Human Rights Coordinating Group so that all concerned parts of the building know and/or approve of the Department's overall policy-making on human rights.

5. Cooperation with the Congress--with stress on a strategy for working effectively with the Hill and attendant human rights lobbyists to further human rights as one of several US foreign policy objectives.

6. Multilateral diplomacy--with provision for strategy papers on furthering our human rights goals in the United Nations and the Organization of American States. Among the major events: the President's speech before the OAS Permanent Council (April 14) and a speech on human rights by Ambassador Young before the spring session of ECOSOC (April 12-May 13).

7. Security assistance--with follow-up on a preliminary "program for US use of security assistance to further human rights" (see Tab 3 for further reference).

8. Protection of US human rights--with follow-up on Executive Branch action, legislation, and necessary administrative action to modify Section 212 (a) (28) of the Immigration and Nationality Act, expand refugee and asylum policies and protect US citizens abroad.

9. Public diplomacy--with preparation of six-month strategy plans by CU, PA, and USIA to help assure better public understanding at home and abroad of US policy on human rights. Your "Law Day" speech in Atlanta (April 30) could be a major event in this regard.

Attachment: Memorandum on US Policy on Human Rights

Drafted: S/P:SVogelgesang:eag
4/6/77;x22576

THE DEPUTY SECRETARY OF STATE

WASHINGTON

CONFIDENTIAL

TO : The Secretary

FROM : Warren Christopher

US Foreign Policy on Human Rights

A Status Report

The Carter Administration has moved fast to establish its bona fides on human rights. Problems--most notably, an impression of inadequate coordination within the Executive Branch and backlash from abroad--remain. We now need to assure that our policy for furthering human rights is as effective as possible and that it relates to the full range of US diplomatic objectives.

This memorandum thus presents a status report on where we are and where we are going in behalf of human rights. It draws on contributions made by bureaus throughout the Department and from an extensive background study prepared in S/P. It sets forth a general statement of US policy on human rights as part of a specific nine-point action plan--including a memorandum from you to the President (Tab 1).

1. General Statement of Human Rights Policy

The world now knows that Jimmy Carter thinks human rights are important. Many--not just representatives of foreign governments and journalists, but also our own personnel--do not know what he means by "internationally recognized human rights," which human rights are to get priority US attention, and what criteria we plan to apply in individual cases. I

therefore believe that a clearcut statement of US policy on human rights should stress the following:

-- "Internationally recognized human rights" are those fundamental freedoms and rights which all members of the United Nations are obliged--under Articles 1, 55, and 56 of the UN Charter--to promote, respect, and observe. The most authoritative and comprehensive statement of those rights and freedoms is found in the UN Universal Declaration of Human Rights. The thirty articles of that document express rights which enjoy international consensus (adopted by the UN General Assembly), encompass concerns specified by the Congress (e.g., the Foreign Assistance Act of 1961, as amended), and reflect traditional American values. (See Tab 2 for the relevant portions of the UN Charter and the UN Universal Declaration.)

-- There is an important relation between the personal/political/civil liberties and the economic/social rights specified in the Declaration. We cannot pursue our commitments to both economic development and political freedom if we give one set of rights priority over the other.

-- Although our long-range goal is to help raise the standards of national observance of human rights around the world, we may have to set more selective priorities in the short-term. Thus, in addition to continuing pursuit of economic development, social well-being and political liberty, we will take most vigorous action, when constructive for the case at hand, with regard to crimes against the person: i.e., officially-sanctioned murder, torture, or detention without fair trial (Articles III, V, VIII, IX, X, and XI of the Universal Declaration).

-- Our criteria for formulating and implementing this general policy in individual cases will include consideration for the following:

• Nature and extent of violations--is there a contravention of the Universal Declaration? Are there recurring regional, class, ethnic, or political patterns to violations? What means of detection and verification are available in cases of crimes against the person?

• Direction of movement--is the situation improving or deteriorating? For example, we need a particularly sophisticated and nuanced approach for countries which, while still serious violators of human rights, are moving to improve their performance in this area.

• Tradition or level of development--how, for example, should the US promote its own precepts in tribal or feudal society?

• Validity of security justification--is an emergency abrogation of rights needed to meet an internal or external threat that could not be otherwise contained?

• Openness to outside inquiry--is the country in question willing to permit investigation by such public international organizations as the UN or such respected non-governmental organizations as the International Commission of Jurists?

• Extent of other US interests/leverage--what is the degree and character of US influence in the country? Likely third-country reaction to US action or inaction on human rights? Reaction of democratic elements in the country concerned? Possible retaliation by the host government against US policies on human rights (such as recent renunciation of military assistance by several Latin American nations or possible cut-off of oil elsewhere)?

To reflect the above, I have authorized preparation of a cable to all US consular and diplomatic posts which:

-- Presents a brief summary of this general statement of US policy on human rights.

-- Provides illustrative "questions and answers" on human rights.

-- Indicates the dispatch of (1) the S/P background paper which incorporates Department-wide perspective and provides the basis for the above summary, (2) the text of any major high-level address on human rights given in this period, and (3) the text of testimony on human rights by the Deputy Secretary before the Subcommittee on Foreign Assistance of the Senate Committee on Foreign Relations.

-- Requests all posts to provide material to the Department on how the US can help promote human rights in the host country or work with the host country to further human rights elsewhere.

2. Action with Individual Countries

Given what I understand to be the consensus of the Department, I believe that we should continue to resist the idea of a country "hit list." It would not reflect the universal dimension of our policy--i.e., general concern for all rights everywhere and working with all nations. And, it might be counterproductive--i.e., needlessly antagonize some nations, while giving others a free ride. Flexibility is in order--both for defining the continuum of countries of most concern to us and in discerning what approaches (public or private, bilateral or multilateral, symbolic or substantive, positive or reactive, etc.) could be most useful.

However, while stressing the fundamental global character of our program, we will inevitably focus on some nations more than others--identifying or responding to particularly egregious cases of murder, torture, or detention; weighing those cases where US action on human rights per se could endanger other objectives which, in fact, serve or complement the cause of human rights; or seeking out like-minded democracies for positive initiatives in the United Nations.

Given this range of considerations, we need to augment material now available to help identify upcoming opportunities to advance human rights; deal with specific countries which, for a variety of reasons, may pose more immediate problems for the United States; and avoid overloading the human rights circuit by appearing to single out one country or doing too much at one time. Further, we should pay particular attention to finding positive ways to foster human rights (such as using public statements by the Administration and the Congress, bilateral and multilateral loans, etc.). And, although it is hard to know in advance all the costs of advocating human rights, we must try to identify possible

short-term problems and monitor the consequences.

I am thus asking D/HA to request that all regional assistant secretaries follow up on previous strategy papers with specific courses of action for all individual countries. Those papers are to incorporate suggestions solicited from the field. I am also planning to convene the Human Rights Coordinating Group (HRCG), which you established earlier this year and which I chair, to review action for several illustrative countries needing prompt attention.

3. Executive Branch Coordination

I have approved action to strengthen coordinated direction of US policy on human rights in the following ways:

-- Expediting confirmation of Patt Derian as the Coordinator for Human Rights.

-- Enlarging the D/HA staff. I understand that the Deputy Under Secretary for Management is helping expedite a five-position expansion of D/HA (with attendant extension of office space) so that that staff can better monitor our overall human rights policy.

-- Providing training. I have asked D/HA to assure that the Foreign Service Institute increase efforts to stress human rights as a factor in US foreign policy.

-- Expanding the scope and effectiveness of the Human Rights Coordinating Group. This group--which includes Deputy Assistant Secretary level representation from all Department bureaus concerned with human rights--should meet at least once a month to project pending issues and determine matters for decision by you or me. A smaller core group--to include D/HA, P, C, IO, H, L, S/P or others as appropriate--should be available to meet, at Assistant Secretary level, for fast-action items.

-- Assuring follow-up on the Department's program. I have asked D/HA to prepare a monthly status report on items

proposed in this memorandum and subsequent initiatives on human rights. That memorandum should be cleared with S/P and sent through my office for your reference by the first day of each month.

-- Helping interagency coordination. The State Department should take the lead in helping assure a coherent line on human rights by all concerned parts of the Executive Branch (most notably: Defense, Treasury, CIA, USIA, and AID). In lieu of the now-cancelled PRM on human rights and in light of the April 1 NSC memorandum requesting establishment of an interagency group on "decision-making on human rights issues as they relate to foreign assistance," I believe that a senior State Department official could help facilitate interagency coordination. As chairman of the Department's Human Rights Coordinating Group, I might be best placed to help in that capacity. I therefore suggest that you use a brief memorandum to the President to inform the President of the State Department's agenda for action on human rights and propose that I serve as overall Executive Branch coordinator on human rights. (See Tab 1 for proposed memorandum from you to the President.)

4. Economic Assistance

US use of economic assistance--whether bilateral or through international financial institutions (IFI's)--is another means to promote human rights. It fosters economic and social development which is itself a plus for general human rights and a basis for better observance of political and civil liberty and provides a specific tool (positive or reactive) for dealing with individual country performances on human rights.

A. Bilateral Programs. The US Government needs to take several general steps to assure that economic assistance reinforces respect for human rights.

-- AID country programs should be consistent with other US efforts (security, information) in a given nation. We should not, for example, withdraw economic assistance on

human rights grounds at the same time USIA praises the human rights record of the host nation.

-- Since promoting human rights is a long-term process, we must resist quixotic fluctuations in our use of economic assistance to further human rights.

-- We could help human rights and economic development by increasing participation by the poor in both the direction and benefits of US programs for development aid.

Specific action programs which merit attention include:

-- Follow-up and expansion of AID's program for "New Initiatives in Human Rights." Launched by the then Administrator in 1975 as a complement to the Agency's "New Directions" program for stress on the poor, this effort has foundered on lack of staff, meager encouragement from high levels of the State Department, and specific resistance from certain regional bureaus within the Department. The AID program could address the following: increased cooperation with international and regional organizations, help for the rural and urban poor in gaining effective access to rights and protections provided for them under the law and in development programs, and sponsorship of studies and conferences on human rights problems and their relation to economic development.

-- Increased consultation with other industrial nation donors. The US Government should follow up on a proposal made last year [redacted] to confer on best means to wed concern for human rights and economic assistance. Possible approaches: Make this idea an agenda item for talks with visiting senior officials from the OECD area or propose it as a topic for consultation at the Development Assistance Committee (DAC) of the OECD. With the ground prepared for talking [redacted] the US could be in a position to have the AID Administrator make a major presentation at the next session of the high-level DAC.

-- Further efforts in behalf of women's rights--since available information suggests that women suffer more violations of basic economic, social, and political rights than do men.

In pursuit of the above, I am asking:

-- The AID Administrator to follow up and expand on the "New Initiatives" program, with the first step, formal presentation of an action plan to the HRCG.

-- D/HA to follow up with AID on ways to increase consultations on human rights with other industrial nation donors. One end product: a cable to the field, with input from EUR and EA, indicating how the US plans to work with the other industrial democracies to further human rights.

-- AID and IO, with clearance from D/HA and S/P, to draw up a status report and action plan to improve women's rights.

B. Use of International Financial Institutions (IFI's). The so-called Harkin Amendment, which injects human rights considerations into the bills authorizing US participation in the Inter-American Development Bank (IDB) and the African Development Fund (ADF)--together with the recent Reuss bill and Humphrey proposal extending human rights considerations to all the IFI's--present us with a difficult tradeoff. On the one hand, we want to comply with current legislation, thus giving it a chance to affect observance of human rights and demonstrating our willingness to work with the Congress in this regard. On the other hand, we want to avoid turning our advocacy of human rights into a point of useless political contention within the IFI's--thus feeding confrontation along North-South lines, fostering even more politicization of the IFI's, and undermining the legitimate role of these institutions.

Our present approach is to make a good faith effort to fulfill the spirit and letter of the Harkin Amendment. At the same time, we support Congressional initiatives which might allow more flexibility for Executive Branch use of the IFI's (and the Export-Import Bank) as one of several means to promote human rights.

To facilitate implementation of this approach, I am requesting that:

-- EB provide all relevant members of the HRCG (D/HA, E, ARA, H, L, and S/P) with prior notice of US decisions on Harkin Amendment votes.

-- EB, in addition, draw on its previous analysis of human rights and the IFI's to provide a policy paper for HRCG review. That paper should include evaluation of such approaches as using US votes to register disapproval of human rights violations, encouraging the institutions themselves to further human rights, and placing priority emphasis on promotion of economic rights.

-- H make special provision for use of the IFI's in its Congressional human rights strategy (see below).

-- E alert me to any inconsistency in State-Treasury-NSC positions on human rights in the IFI's.

5. Cooperation with the Congress

Present US policy is in tune with what most on the Hill want. The next step--since some Congressmen fear that we have a helter-skelter approach that could dissolve in the face of Realpolitik--is to demonstrate to the Congress that our human rights program is serious, coordinated, and related to other US national interests.

Our strategy for Congressional relations on the human rights question need not be so much a "strategy" as an attitude. That attitude should start and end with the determination to work with the Congress--not, as sometimes alleged in the previous Administration, contravene legislative intent or use Congress as the culprit in advocating human rights abroad. Hopes that human rights would go away as an issue or efforts to block growing Congressional determination to promote human rights led to the frustration which, in turn, prompted legislation which may or may not be the most useful way to further human rights.

Given that backdrop and present political intent on the Hill, the Executive Branch approach to the Congress on human rights should include:

-- Extended Contacts with the Hill. Close contact and consultation with both members of the Congress and their staffs are important. Such consultations should not be limited to human rights interest groups on the Hill and D/HA in the Department.

• Each regional bureau and concerned functional bureau, in consultation with appropriate officers in H and D/HA, should work out a regularized schedule of informal contact with Congresspersons and staff in their areas to explain specifically upcoming decisions or problems.

• Such consultations should cover the spectrum of members and issues. For example, as we develop our policy on human rights toward Korea, EA, in consultation with D/HA and H, should consult with interested and key members of Congress.

-- Top Priority Items. The following items are of particular, immediate concern to the Congress and should therefore figure prominently in the Department's six-month Congressional action plan on human rights.

a. Harkin Amendment on the International Financial Institutions and Bilateral Economic Assistance. (Follow up on productive consultations with Congressmen Reuss, Harkin, Fraser, Gonzalez, et al).

b. Security Assistance

• General: Executive Branch to review all country programs before September 30, making allowance for changes in human rights performances. Specific consideration should focus on minimal programs [redacted] and grant security assistance [redacted] b-1 AS

c. UN Human Rights Covenants and Conventions. (Follow up on President's March 17 UN speech)

[redacted] b-1 AS

-- Cooperation with Human Rights Lobby. Since there is an increasingly active, vocal, and influential human rights lobby operating on the Hill, the Department should complement its efforts with the Congress with efforts to meet and talk with representatives of the more important human rights organizations in town: the new Washington office of Amnesty International (AI), the Washington Office for Latin America (WOLA), the National Catholic Conference, B'nai B'rith, and the Coalition for a New Foreign Military Policy.

-- Use of Fellowship Program: Encourage State Department recipients of Congressional Fellowships to work with known Congressional advocates of human rights such as Fraser, Koch, Harkin, Reuss, Cranston, Kennedy, etc.

-- Two Caveats. First, no strategy of consultations will be effective unless we have a consistent policy to explain. Second, we must stress promotion of human rights as a joint Executive-Legislative Branch enterprise. Since there may well be short-term costs (at home and abroad) for this policy, we will want Congress aware of potential costs, ready to share responsibility with us during rough periods, and thus able to provide the most enduring consensus for our human rights policy.

I have asked H--assisted by D/HA, L, and S/P--to follow up on the above outline with a six-month plan for working with the Congress to promote human rights.

6. Multilateral Diplomacy

The US should put increased effort into working with other nations and using multilateral mechanisms to further human rights. Dealing through multilateral channels has the advantages of reducing the image of the US as the moralistic mother-in-law of the world and enlisting the force/leverage of international opinion behind the cause.

At the United Nations, our general approach should include:

-- Factoring human rights into all US activities at the United Nations, not just for those occasions (such as

meetings of the Human Rights Commission--HRC) when it is specifically on the agenda.

-- Determining before both the convening of a new session of the General Assembly and each major UN conference, a few priority human rights issues for special US attention--ones either important to us or ripe for forward movement.

-- Consulting early and often with close allies and, when possible, with non-aligned nations, to identify issues of shared concern and forge appropriate coalitions.

-- Seeking greater collaboration with Third World nations by stressing the relation between promotion of all human rights--political, civil, economic, social, and cultural.

-- Continuing to involve Congress in the preparation for and participation in UN meetings.

-- Concentrating US efforts on the worldwide problems of crimes against the person.

-- Trying to assure even-handed study and statements on country and area human rights situations so that not just a few targets [redacted] are singled out without significant reference to other gross violators.

Specific recommendations for US action on human rights at the United Nations should include:

-- Pressing for US ratification of the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the covenant on political and civil rights and the covenant on economic, social, and cultural rights (as noted in the President's UN speech, March 17).

-- Using a speech by Ambassador Young as the focal point of our human rights strategy for the Spring Session of ECOSOC (New York, April 12-May 13).

-- Starting preparations now for our human rights input into the September 1977 UNGA and, if and when announced, the Special Session for the North-South dialogue.

-- Seeking ways to eliminate the racism-Zionism issue in order to allow full US participation in the international struggle against racism and racial discrimination.

-- Considering the selection of one of the USUN ambassadors as US Representative to the HRC. That would facilitate continuity in the US statements and actions at the HRC, ECOSOC, and the General Assembly, and provide one known full-time US spokesperson at the UN. That individual could be charged with factoring human rights considerations into US participation in UN meetings on economic and social development (important for greater cooperation with the LDC's) and maintaining closer contact with non-governmental organizations which form an important part of the human rights constituency and which lobby actively at the United Nations.

-- Finding ways to strengthen the Human Rights Commission, such as following up on the President's proposal for more frequent meetings of the HRC, returning the Commission to New York, and increasing its mandate with the appointment of a UN Human Rights Commissioner. We should also use the HRC to preserve and defend the Commission's procedures for dealing with private complaints on human rights.

Given the important need to work more effectively with the United Nations to promote human rights, I am asking IO to expand on the above points in an "Agenda for US Action on Human Rights at the United Nations."

At the Organization of American States (OAS), the US should capitalize on the significant potential of the Inter-American Human Rights Commission (IAHRC). ARA has come up with the following proposals which merit formal presentation before the HRCG:

a. Budget Increase. The IAHRC would develop a program justifying a supplementary budget increase request from the

OAS to increase substantially its present annual funding of around $463,000. OAS funding of the proposal would be far preferable to another US contribution since it would strengthen the multilateral credentials of the IAHRC and avoid the procedural problems which endangered acceptance this year of our special contribution.

b. Program of Annual Visits. The IAHRC should use much of the money, members, and staff to schedule an annual visit by a member-or-staff team to almost every OAS member country. Obviously, visits to countries from which there are few if any complaints would be largely pro forma. If such a visit became an annual practice (at least while the present high level of human rights violations continues), the nations that are serious violators could not refuse to receive or cooperate with the investigating team on the basis that they are being singled out unjustly. We have checked with the Legal Adviser's Office and confirmed that the US can and should cooperate with an IAHRC investigation of human rights complaints in the United States and such constituent territories as Puerto Rico and possibly the Canal Zone.

c. Annual Investigations of Human Rights Complaints Against Cuba. For reasons of equity and to counteract the argument of right-wing governments that left-wing violators were being ignored, we would encourage an annual investigation of human rights complaints against Cuba. Of course, a visit to Cuba by the IAHRC would presumably be impossible as long as Cuba remains a non-participating member of the OAS.

d. Annual Debate on Human Rights Situations. We would push strongly for debate on the human rights situation in each country reported on in appropriate OAS bodies, especially in this June's annual General Assembly. Our OAS delegate would take care to acknowledge improvements, as well as to denounce violations.

e. Educational Programs. We will push and flesh out a program of Inter-American education in the human rights area which we plan to propose at the next meeting of the Inter-American Education, Science, and Cultural Council.

f. Attention to Terrorism. Since mounting terrorism has recently contributed to worsening human rights situations, we would support broadening the mandate of the IAHRC to investigate the link between abuses of human rights and terrorism. Such an initiative would appeal to the conservative Latin American regimes and thus contribute to multilateralizing support for the IAHRC.

g. Affirmative Reaction Program. A promising approach to the human rights problem, which we could recommend informally to the Commission, would be to emphasize the more positive features of the Commission's role to study and recommend to member states innovative procedures that safeguard human rights, rather than concentrating on its potential to isolate and shame offending regimes.

h. Unresolved Issue. Should the Commission appear to be developing into a tribunal, able to make judgments and level sanctions on individual governments, present support for strengthening its investigative machinery would wane. The dilemma is how to make the Commission a powerful instrument to monitor human rights performances without raising the spectre of political interference in the name of human rights. Southern Cone States are acutely sensitive to US pressure to clean house and are likely to react to that pressure by spreading the idea that our concern with human rights is just another version of "Yankee interventionism" aimed at disrupting Latin solidarity.

i. Pending Questions. Should the State Department submit information concerning violations to the IAHRC? Should the US lobby strongly for the ratification of the American Convention on Human Rights? If the OAS threatens to narrow the mandate of the Commission; or to emasculate it by other means, should the US counter, either by threatening to reduce its budgetary contributions or to withdraw from the Organization? etc.

j. High-Level Speeches. The Department has provided language on human rights for the President's speech before the OAS Permanent Council, April 14. You may also want discussion of human rights in your speech before the OAS General Assembly this June.

7. Security Assistance

The problem of relating security assistance to human rights has both a procedural and a substantive aspect: we must ensure early introduction of human rights considerations into our decision-making and must weigh our special responsibility to respect human rights in countries receiving security assistance or buying arms from the US against other American national interests. See Tab 3 for elaboration of these procedural and substantive guidelines which I am asking PM and T--with assistance from D/HA, H, and S/P--to submit for HRCG review.

8. Protection of US Human Rights

The US should take several steps to put its own human rights house in order. In addition to prompt ratification of the relevant UN instruments, we should:

-- Visa Policy: Proceed with new legislation and more flexible administration of US visa policies which can eliminate political tests for visitors--which reduce US influence among foreign intellectuals and present us with needless vulnerability in the CSCE.

-- Refugee and Asylum Policy: Encourage legislation and necessary administrative action to expand our refugee and asylum policies in order to permit entry into the United States of more victims of repressive regimes.

-- Protection of American Citizens Abroad: Strengthen our representations on behalf of American citizens adversely affected by repressive measures in foreign countries.

An interagency study on visas, chaired by SCA, was completed on March 21. In addition, I am mandating D/HA--assisted by SCA, H, L, S/P, and other concerned bureaus--to assure follow-up on Executive Branch action, legislation, and necessary administrative action to modify Section 212 (a) (28) of the Immigration and Nationality Act, expand refugee and asylum policies and protect US citizens abroad.

9. Public Diplomacy

In the best of all worlds, promotion of human rights should stand on its own merits and speak for itself. However, since I concur with the judgment from D/HA and S/P that we can and should do more in this area, I have authorized the following actions:

-- Representation by USIA on the Department's Human Rights Coordinating Group. Both PA and CU already participate.

-- Preparation of human rights action plans by CU, PA, and USIA and subsequent review by the HRCG. See Tab 4 for illustrative outlines of such programs by CU and USIA.

-- Authorization of one member of the D/HA staff to be the point of coordination for those elements of the foreign affairs agencies dealing with human rights via press/media statements, programs for information, cultural or academic exchange, etc.

-- Preparation by PA of a plan which helps you and other senior-level officials of this Administration explain US policy on human rights. That plan should include projection of major speeches to be made (with an eye for optimal timing and impact vis-à-vis other contemplated measures on human rights) and preparation of materials for mailing to important opinion leaders/groups and use by State Department employees speaking throughout the United States. A special effort should be made to encourage influential US intellectuals to speak out in behalf of human rights.

-- Preparation of a speech on human rights for your "Law Day" appearance in Atlanta, April 30. S/P is drafting.

Summary and Recommendation for Your Action

The above program should help the Department maintain useful momentum in furthering human rights abroad.

-- The general statement of policy establishes our overall concern and direction.

-- The agenda of strategy papers for presentation before the Human Rights Coordinating Group provides the basis for a more consistent and creative program. To assure fastest possible progress on this program, I have asked D/HA and S/P to pace review of the various parts of the program over the next weeks. D/HA will prepare tasking memos (cleared by S/P) and all bureaus will send their final reports to D/HA and S/P. The final review of the entire program is to be completed by this summer.

-- Circulation of this memorandum, together with the larger S/P background paper, within the State Department can provide our personnel with a useful overview of policy direction and program priority.

-- Dispatch to the field of general policy guidance (as noted above), the S/P background paper, and copies of speeches on human rights by senior State Department officials (including your April 30 "Law Day" presentation) can help keep our posts abroad informed and up to speed on US human rights policy.

-- A memorandum from you to the President--which summarizes our general policy and action agenda and suggests State Department leadership on an interagency basis--would be a useful complement to the above.

I therefore recommend that you sign the memorandum at Tab 1.

Approve_____ Disapprove_____

Attachments:

Tab 1 - Memorandum from the Secretary to the President.
Tab 2 - Relevant portions of the UN Charter and the UN Universal Declaration of Human Rights.
Tab 3 - Program for US use of security assistance to further human rights.
Tab 4 - CU and USIA action programs on human rights.

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Clearance: P - Mr. Habib SV for PH
E - Mr. Cooper
T - Mrs. Benson
S/P - Mr. Lake
C - Mr. Nimetz
L - Mr. Hansell SV for HTH
D/HA - Ms. Derian